

#10  
*Pet. to Corr. Inventorship*  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of

THOMAS A. GENISE

Application No: 08/666,164

Group Art Unit: 3502

Filed: June 19, 1996

Examiner: T. Kwon

For: AUTOMATED TRANSMISSION SYSTEM CONTROL WITH ZERO ENGINE  
FLYWHEEL TORQUE DETERMINATION

**PETITION UNDER 37 CFR §1.48 TO CORRECT INVENTORSHIP**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, on behalf of the Applicant and the Assignee herein, petitions the Commissioner in accordance with 37 C.F.R. § 1.48 to correct the inventorship of the above-identified application by Ronald K. Markyvech and James R. McReynolds as co-inventors.

The failure to name James R. McReynolds as a co-inventor was caused by error without any deceptive intention on the part of the actual inventors. Submitted herewith is a verified statement by the original named inventor establishing when the error without deceptive intention was discovered and how it occurred.

Mr. Ronald K. Markyvech is also being added as a co-inventor to the present application. This is because new claims have been added to the present application which causes Ronald K. Markybech to be a co-inventor of the claimed subject matter.

Respectfully submitted,

By



William H. Mandir  
Reg. No. 32,156

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Date: August 29, 1997

#11  
*Consent of Assignee*  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

THOMAS A. GENISE

Application No: 08/666,164

Group Art Unit: 3502

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Examiner: T. Kwon

For: AUTOMATED TRANSMISSION SYSTEM CONTROL WITH ZERO ENGINE  
FLYWHEEL TORQUE DETERMINATION

  
CONSENT OF THE ASSIGNEE TO CORRECTION OF  
INVENTORSHIP IN ACCORDANCE WITH 37 CFR § 1.48

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

The undersigned, a representative of Eaton Corporation, represents that Eaton Corporation is the owner of the entire right, title and interest of Application No. 08/666,164, filed on June 19, 1996, for AUTOMATED TRANSMISSION SYSTEM CONTROL WITH ZERO ENGINE FLYWHEEL TORQUE DETERMINATION by virtue of an Assignment from all of the inventors thereof executed on June 12, 1996, recorded on June 19, 1996, at Reel No. 8047, Frame(s) 0199.


The undersigned hereby certifies that the above-mentioned Assignment has been reviewed and to the best of the undersigned's knowledge and belief, title is in Eaton Corporation who is seeking to take this action.

By virtue of my position in the assignee company, the undersigned represents that authority exists to sign this written consent on behalf of the assignee.

Eaton Corporation hereby consents to the correction of

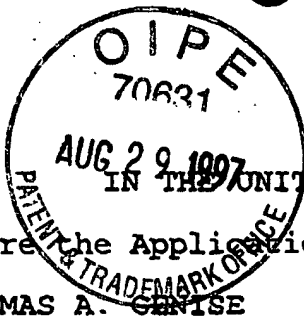
inventorship in connection with the above-identified application whereby the names of Ronald K. Markyvech and James R. McReynolds are added as a co-inventors.

Date: \_\_\_\_\_



Howard D. Gordon  
Registration No. 25,979  
Attorney of Record

Eaton Corporation  
Eaton Center  
1111 Superior Avenue  
Cleveland, Ohio 44114-2584  
Date: August 28, 1997



## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of  
THOMAS A. GENISE

Application No: 08/666,164

Group Art Unit: 3502

Filed: June 19, 1996

Examiner: T. Kwon

For: AUTOMATED TRANSMISSION SYSTEM CONTROL WITH ZERO ENGINE  
FLYWHEEL TORQUE DETERMINATION

VERIFIED STATEMENT OF ORIGINAL NAMED INVENTOR  
IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.48  
TO CORRECT INVENTORSHIP

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I the original named inventor of the above-identified application do hereby declare that an error occurred in naming the inventors of the above-identified application and that the error occurred without any deceptive intention on the part of the actual inventors, and that the following sets forth how the error occurred and how it was discovered.

At some time after March 10, 1997, I became aware of a fax dated August 11, 1993, from James R. McReynolds to Howard D. Gordon (Reg. No. 25,979) who is the attorney of record in the subject application, and which was re-sent to Mr. Gordon on March 6, 1997. I believe that the August 11, 1993 fax was discovered during an investigation concerning the conception date of the invention of the subject application. In reviewing the August 11, 1993 fax with Mr. Gordon, I recalled a meeting prior to August 11, 1993, at Eaton Corporation's Transmission Division in Galesburg, Michigan, with

Mr. McReynolds. At this meeting I recall discussing ideas for various types of electronically assisted, lever shifted transmissions. In reviewing the materials contained in the August 11, 1993 fax, and my recollection of this meeting, I am of the opinion that Mr. McReynolds' suggestions, ideas and recommendations made at the meeting were such that Mr. McReynolds should be named as a joint inventor of the subject application.

The error without deceptive intent of failing to name Mr. McReynolds as a co-inventor occurred because, at the time of filing the subject application in June 1996, I failed to recall, recognize and appreciate Mr. McReynolds' 1993 contribution to the invention of the subject application.

Until discussions with my attorney, Mr. Gordon, I, without deceptive intent, had not recalled or appreciated Mr. McReynolds' contribution to the claimed invention and, thus, at the time of filing of the subject application, without any deceptive intent, had not included Mr. McReynolds as a co-inventor.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment or both under 18 USC §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Date: 8-29-97

  
Thomas A. Genise